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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/616,016

07/09/2003

Robert Beckstrom

6065-88613

1125

24628

7590

09/22/2006

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/616,016	BECKSTROM ET AL.	
	Examiner	Art Unit	
	Thjuan P. Knowlin	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/29/03 and 10/29/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections – 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Thompson et al (US Patent Application Publication, Pub. No.: US 2004/0088206 A1).
2. In regards to claims 1, 12, 22, 26, and 27, Thompson discloses a method and apparatus of assigning (for example, the assigning is through the operational support system (OSS) 2), See Fig. 2) a call to one of a plurality of agents (See Fig. 2, workgroup 20 and 21, and mediator agents 28 and 29) (See page 3, paragraph [0039]), such method comprising the steps of: providing a description of the call (e.g., work item) to each of the plurality of agents (See page 3, paragraph [0045] – [0047]); receiving a bid to handle the call from each of the plurality of agents (See page 5-6, paragraph [0106]); and assigning the call to an agent of the plurality of agents with a highest relative received bid (See page 6, paragraph [0107]).
3. In regards to claims 2, 13, and 23, Thompson discloses the method and apparatus, further comprising determining a minimum skill (i.e., expertise or determining

whether or not the work will be done) level for the call (See page 1, paragraph [0005], page 3, paragraph [0047], and page 5, paragraph [0105]).

4. In regards to claims 3, 10, 14, 21, and 24, Thompson discloses the method and apparatus, further comprising rejecting any bid from an agent of the plurality of agents whom does not meet the minimum skill level for the call (See page 6, paragraph [0107]).

5. In regards to claims 4 and 15, Thompson discloses the method and apparatus, wherein the step of providing the description further comprises displaying the provided information on a terminal display (See Fig. 1b and display 19) of each agent of the plurality of agents (See page 3, paragraph [0036) and page 3, paragraph [0047]).

6. In regards to claims 5, 6, 16, 17, and 25, Thompson discloses the method and apparatus, further comprising defining the bid as being a numerical value between two limits (See page 4, paragraph [0051] and page 4, paragraph [0064]).

7. In regards to claims 7 and 18, Thompson discloses the method and apparatus, further comprising classifying the call (for example, whether or not work item is low or high and/or classifying may be done depending on customer type or customer location) (See page 3, paragraph [0046] and page 3-4, paragraph [0049]).

8. In regards to claims 8 and 19, Thompson discloses the method and apparatus, further comprising determining an average number of calls handled per time period of a call type of the classified call for each agent of the plurality of agents (See page 3, paragraph [0047] – [0048]).

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9. In regards claims 9 and 20, Thompson discloses the method and apparatus, further comprising calculating a group average of calls handled per time period of the call type of the classified call (See page 5, paragraph [0105]).

10. In regards to claim 11, Thompson discloses the method, further comprising assigning the call to a default agent (for example, the mediator agent which makes a bid) of the plurality of agents when an acceptable bid is not received within a predetermined time period (See page 5-6, paragraph [0106]).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Moody et al (US Patent Application Publication, Pub. No.: US 2005/0005272 A1) teach an apparatus and method for controlling allocation of resources and task execution. Moody et al (US Patent Application Publication, Pub. No.: US 2001/0042123 A1).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P. Knowlin whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thjuan P. Knowlin

A handwritten signature in black ink, appearing to read 'Thjuan P. Knowlin', with a large, stylized flourish at the end.